

REMARKS

Claims 1-21 are pending in the present application. Claims 1-21 stand rejected. Claims 1-4, 7, 9, 10, 12, 13, 19 and 21 have been amended herein. Reconsideration is respectfully requested in light of the present amendments and following remarks. The above amendments and following remarks are believed to be fully responsive to the outstanding Office Action and to render all claims at issue patentably distinct over the references cited.

Claims 1-21 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over the Edwards article in view of Speller, Jr. et al. ('115). This rejection is respectfully traversed. It is believed that the originally filed claims are patentably distinct over the cited references. The Examiner's comments regarding the secondary considerations are also respectfully transversed.

In contrast, there is no suggestion or motivation to combine the cited references, especially since the Edwards article only discloses use of a conventional hydraulic actuator (see page 25 of Edwards). More specifically, independent Claims 1, 13 and 21 have been amended to further emphasize the use of a non-fluid transmission. Improper hindsight reasoning and radical reengineering would be required to combine the hydraulic actuator of Edwards (see page 25) with the very complicated pre-drilling machine of Speller, Jr. et al. Furthermore, it should be appreciated that the die of the present invention may alternately be moved to allow workpiece access between the punch and die, and this situation has not been disclaimed with these or prior remarks, and this

situation would still fall within the present claims. Nevertheless, Speller, Jr. et al. applies to a predrilled riveting situation and not to a self-piercing rivet.

Independent Claim 1 has been amended to add steps (k), (l) and (m), the combination of which is not taught in any of the cited references. Moreover, step (l) of independent Claim 7 has been added. None of the cited references teach, suggest or motivate the claimed combination of elements, especially as amended.

Furthermore, new step (b) has been added to independent Claim 13. In contrast, the diagram in the upper right corner of page 25 of the Edwards article employs a plastic tape to feed the rivets. Such a tape produces manufacturing scrap unlike the presently claimed pneumatic feeding. Accordingly, none of the cited references teach, suggest or motivate the presently claimed combination of elements.

Finally, independent Claim 21 has been amended by adding new step (b). The rivet length determination is a significant difference and leads to many advantages; see paragraph [0057] of the originally filed independent claims. None of the cited references teach, suggest or motivate the presently claimed combination of elements, especially as amended. Accordingly, it is respectfully requested that the instant rejection be withdrawn.

In view of the instant amendments, it is submitted that the present application is in condition for allowance. Accordingly, it is requested that the Examiner pass the case to issue at his earliest convenience.

Respectfully submitted,

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